No. 18-485	
Title:	**Edward G. McDonough, Petitioner** **v.** **Youel Smith, Individually and as Special District Attorney for the County of Rensselaer, New York, aka Trey Smith**
Docketed:	October 16, 2018
Lower Ct:	United States Court of Appeals for the Second Circuit
Case Numbers:	(17-296)
Decision Date:	August 3, 2018
Rehearing Denied:	September 12, 2018
Questions Presented	

DATE	PROCEEDINGS AND ORDERS
Oct 12 2018	Petition for a writ of certiorari filed. (Response due November 15, 2018) **Petition** **Appendix** **Certificate of Word Count** **Proof of Service**
Nov 02 2018	Motion to extend the time to file a response from November 15, 2018 to December 7, 2018, submitted to The Clerk. **Main Document**
Nov 06 2018	Motion to extend the time to file a response is granted and the time is extended to and including December 7, 2018.
Nov 15 2018	Brief amici curiae of Criminal Defense Organizations, et al. filed. **Main Document** **Certificate of Word Count** **Proof of Service**
Nov 15 2018	Brief amicus curiae of Cause of Action Institute filed. **Main Document** **Proof of Service** **Certificate of Word Count**
Nov 15 2018	Brief amicus curiae of Criminal Justice Institute of Harvard Law School filed. **Main Document** **Certificate of Word Count** **Proof of Service** **Other**
Dec 07 2018	Brief of respondent Youel Smith in opposition filed. **Main Document** **Certificate of Word Count** **Proof of Service**
Dec 17 2018	Letter waiving the 14-day waiting period under Rule 15.5 filed. **Main Document**
Dec 18 2018	Reply of petitioner Edward G. McDonough filed.

	Main Document **Certificate of Word Count** **Proof of Service**
Dec 19 2018	DISTRIBUTED for Conference of 1/4/2019.
Jan 07 2019	DISTRIBUTED for Conference of 1/11/2019.
Jan 11 2019	Petition GRANTED.
Feb 11 2019	SET FOR ARGUMENT on Wednesday, April 17, 2019
Feb 25 2019	Brief of petitioner Edward G. McDonough filed. **Main Document** **Certificate of Word Count** **Proof of Service**
Feb 25 2019	Joint appendix filed. **Main Document** **Proof of Service**
Feb 26 2019	Blanket Consent filed by Petitioner, Edward G. McDonough. **Blanket Consent**
Mar 04 2019	Brief amicus curiae of Criminal Justice Institute of Harvard Law School filed. **Main Document** **Proof of Service** **Certificate of Word Count**
Mar 04 2019	Brief amicus curiae of Cause of Action Institute filed. **Main Document** **Certificate of Word Count** **Proof of Service**
Mar 04 2019	Brief amici curiae of Criminal Defense Organizations, et al. filed. **Main Document** **Certificate of Word Count** **Proof of Service**
Mar 04 2019	Brief amicus curiae of Constitutional Accountability Center filed. **Main Document** **Certificate of Word Count** **Proof of Service**
Mar 04 2019	Brief amicus curiae of United States filed. **Main Document** **Proof of Service**
Mar 04 2019	Brief amici curiae of Center on the Administration of Criminal Law at NYU School of Law, et al. filed. **Main Document** **Certificate of Word Count** **Proof of Service**
Mar 04 2019	Brief amici curiae of Federal Court Scholars, et al. filed. **Main Document** **Proof of Service** **Certificate of Word Count**
Mar 04 2019	Brief amicus curiae of St. Thomas More Lawyers Guild of Rochester, New York filed.
Mar 04 2019	Brief amicus curiae of The Innocence Network filed. **Main Document** **Certificate of Word Count** **Proof of Service**

Mar 20 2019	CIRCULATED
Mar 21 2019	Record requested from the U.S.C.A. 2nd Circuit.
Mar 27 2019	Brief of respondent Youel Smith filed. (Distributed) **Main Document** **Certificate of Word Count** **Proof of Service**
Apr 02 2019	Motion of the Solicitor General for leave to participate in oral argument as amicus curiae and for divided argument filed. **Proof of Service** **Main Document**
Apr 03 2019	Record received from the U.S.D.C. Northern District of New York is electronic.
Apr 03 2019	Brief amici curiae of International Municipal Lawyers Association, et al. filed. (Distributed) **Main Document** **Certificate of Word Count** **Proof of Service**
Apr 03 2019	Brief amici curiae of Indiana, et al. filed. (Distributed) **Main Document** **Certificate of Word Count** **Proof of Service**
Apr 03 2019	Motion of International Municipal Lawyers Association, et al. for leave to participate in oral argument as amici curiae and for divided argument filed. **Main Document** **Proof of Service**
Apr 03 2019	Motion of St. Thomas More Lawyers Guild of Rochester, New York for leave to participate in oral argument as amicus curiae and for divided argument filed. **Main Document** **Proof of Service**
Apr 03 2019	Motion of Indiana, et al. for leave to participate in oral argument as amici curiae and for divided argument filed. **Main Document** **Proof of Service**
Apr 10 2019	Reply of petitioner Edward G. McDonough filed. (Distributed) **Main Document** **Certificate of Word Count** **Proof of Service**
Apr 12 2019	Motion of the Solicitor General for leave to participate in oral argument as amicus curiae and for divided argument GRANTED.
Apr 12 2019	Motion of Indiana, et al. for leave to participate in oral argument as amici curiae and for divided argument DENIED.
Apr 12 2019	Motion of International Municipal Lawyers Association, et al. for leave to participate in oral argument as amici curiae and for divided argument DENIED.

Apr 12 2019	Motion of St. Thomas More Lawyers Guild of Rochester, New York for leave to participate in oral argument as amicus curiae and for divided argument DENIED.
Apr 17 2019	Argued. For petitioner: Neal K. Katyal, Washington, D. C.; and Jeffrey B. Wall, Principal Deputy Solicitor General, Department of Justice, Washington, D. C. (for United States, as amicus curiae.) For respondent: Thomas J. O'Connor, Albany, N. Y.
Jun 20 2019	Judgment REVERSED and case REMANDED. Sotomayor, J., delivered the opinion of the Court, in which Roberts, C. J., and Ginsburg, Breyer, Alito, and Kavanaugh, JJ., joined. Thomas, J., filed a dissenting opinion, in which Kagan and Gorsuch, JJ., joined.

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